

REMARKS

This Preliminary Amendment is submitted in connection with the above-identified continuation application. Please amend the continuation application in accordance with this Preliminary Amendment prior to any other actions on the merits.

In the specification, paragraph [01] has been amended to claim priority from the prior applications and the abstract has been amended to more clearly reflect the claimed invention.

In the immediate prior continuation application, claims 23-49 were pending. Claims 23-43 were allowed and claims 44-49 were rejected. Applicants cancelled claims 44-49 without prejudice in that application. In the present application, Applicants have submitted new claims 23-50, where claims 23-28 correspond to claims 44-49 of the immediate prior continuation application.

In the parent case, claims 44-49 stood rejected under 35 U.S.C. §102(e) as being anticipated by Adkins, U.S. Patent No. 6,400,605 (*Adkins*). It is well established that anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. As such, for an anticipation rejection, all of the elements and limitations of the claim must be found within a single prior art reference. *Adkins* does not disclose or suggest all the elements of the new claims 23-50, and as such, those claims are believed allowable. In particular, *Adkins* does not disclose:

“at least one fuse element in the memory device” alone or in combination with a “high programming voltage is used to set a state of the memory device” as recited by new claim 23, among other features;

“at least one of two gated fuses in the memory device” alone or in combination with “said high programming voltage is used to set a state of the memory device” as recited by claim 34, among other features; nor

“selecting at least one fuse to be blown” alone or in combination with “standing of said programming voltage to at least one non-selected fuse” as recited by claim 45, among other features.

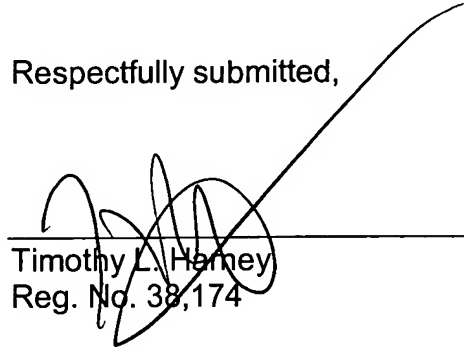
Therefore, Applicants believe that claims 23, 34 and 45 are allowable. Further, claims 24-33, 35-44 and 46-50 depend, directly or indirectly, from claims 23, 34 and 45 respectively and are believed allowable for all the reasons provided previously.

It is respectfully submitted that the pending claims define allowable subject matter.

Please charge any required fees not paid herewith or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017. In view of the foregoing, it is respectfully submitted that the pending claims define allowable subject matter. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Dated: January 22, 2004

Respectfully submitted,



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